

REMARKS

Applicants have made two further amendments to claim 161.

In a first amendment, applicants reiterate language in the preamble of the claim that was earlier present only in the body, further clarifying that the chromosomal sequence targeted for alteration is present within a cell that is itself present *in vitro*. No new matter has been added by this clarification, nor any change in scope thereby effected.

In a second amendment, applicants have excluded human ES cells from among the cells whose chromosomal sequences are targetable in the claimed method. This amendment has been made solely to assuage current political sensitivities and not for reasons related to patentability, thereby to expedite issuance; applicants explicitly reserve the right to prosecute claims to methods of targeting chromosomal sequence alteration to human ES cells in one or more continuation applications when policies, and/or presidential administrations, change. No new matter has been added.

Applicants have also made clerical amendments to claims 57, 58, 70, 73, 75 and 78 to clarify antecedent basis for certain claim terms. No new matter has been added.

Applicants respectfully submit that the application is in condition for allowance and earnestly solicit the same.

No fee is believed due with this paper. However, the Commissioner is authorized to charge any additional fees which

may be required, including petition fees and extension of time fees, to Deposit Account No. 08-1641 (Docket No. 41428.0104).

Respectfully submitted,

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